

Notice of Allowability

Application No.

10/622,475

Examiner

Shih-wen Hsieh

Applicant(s)

SATAKE, MAKOTO

Art Unit

2861

[Signature]

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on July 21, 2003.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 21 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

SHIH-WEN HSIEH
PRIMARY EXAMINER

S. Hsieh 10-28-04

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 1:

Lines 13-14 (or total line number 14-15), please change "the recording operation" into "a recording operation" to correct a minor lack of antecedent basis problem.

Claim 6:

This claim has been amended to change its dependency from originally depending on claim 3 to depend on claim 5 so as to correct a minor lack of antecedent basis problem. The reason for such change is because the antecedent basis of: "in accordance with the switched real time data" recited in lines 4-5 (or total line number 20-21) in this claim is in claim 5, lines 9-11 (or total line number 13-15). Claim 3 does not have the switching of data.

2. Claims 1-13 are allowed.

3. The following is an examiner's statement of reasons for allowance:

In regard to:

Claims 1-8:

The primary reason for the allowance of claims 1-8 is the inclusion of the limitation of calculation means for calculating a time interval in which the recording unit is not performing the recording operation in accordance with the generated pseudo-time data. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claims 9-13:

The primary reason for the allowance of claims 9-13 is the inclusion of the method step of a calculating step of calculating a time interval in which a recording unit is not performing a recording operation in accordance with the generated pseudo-time data. It is this step found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,134,424, "Printer control apparatus and method" issued to Oomori, 7/92 teaches a main control section (111, fig. 1) of an ink jet printer (102, 103, and 105-107, fig. 1) having a calendar circuit (117, fig. 1) for generating a time reference signal at intervals of one minute (1 minute) to generate time or date printing data. A printing operation completion update reference signal supplied from the printing completion update reference signal generation function 111c and/or the time reference update signal supplied from the calendar circuit 117 are supplied to a data update function section 111b via a control function section 111a. In response to this, the data update function section (111b) updates printing data of respective printing information sets by referring to printing data update information. This update processing is detailed by referring to FIGS. 10A, 10B and 11. The calendar circuit in Oomori's reference similar to the pseudo-time measuring means, because it sends a time reference signal to control the completion of printing of the ink jet printer. However, the response of this is to update printing data of respective printing information sets by referring to printing data update information. Oomori fails to teach to calculate a time interval in which the recording unit is not performing the recording operation in accordance with the generated pseudo-time data.

US 5,475,404, "Ink jet recording apparatus with controlled recovery operation" issued to Takahashi et al., 12/95 teaches in their fig. 6 various recovery operations based on time elapsing at the time power to the printer is on, this timing is performed by a timer (31, fig. 4).

US 6,042,214, "Ink jet printer and control therefor" issued to Minowa et al., 3/2000 teaches in their fig. 3 various recovery operations according to time measured by a timer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

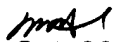
SHIH-WEN HSIEH
PRIMARY EXAMINER


Shih-wen Hsieh

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Primary Examiner
Art Unit 2861

SWH

Oct. 28, 2004